

CITY COUNCIL MINUTES
NORMAN UTILITIES AUTHORITY MINUTES
NORMAN MUNICIPAL AUTHORITY MINUTES
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES

December 8, 2009

The City Council of the City of Norman, Cleveland County, State of Oklahoma, met in Regular Session in the Council Chambers of the Norman Municipal Building on the 8th day of December, 2009, at 6:30 p.m., and notice and agenda of the meeting were posted at the Municipal Building at 201 West Gray and at the Norman Public Library at 225 North Webster 24 hours prior to the beginning of the meeting.

PRESENT:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
ABSENT:	None

The Pledge of Allegiance was led by Mayor Rosenthal.

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Item 3, being:

PRESENTATION OF THE “GO GREEN RAP” BY STUDENTS FROM TRUMAN ELEMENTARY SCHOOL.

Mayor Rosenthal introduced Ms. Madole’s Second Grade Class from Truman Elementary School and they performed the “Go Green Rap” for Council and the audience.

Items submitted for the record
1. Recycle Rap

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Item 4, being:

CONSENT DOCKET

Councilmember Kovach moved that Item 5 through Item 15 be placed on the consent docket by unanimous vote, which motion was duly seconded by Councilmember Cubberley; and the question being upon the placement on the consent docket by unanimous vote of Item 5 through Item 15, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Item 5 through Item 15 were placed on the consent docket by unanimous vote.

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Item 5, being:

CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 12, 2009
CITY COUNCIL PLANNING AND COMMUNITY DEVELOPMENT MINUTES OF NOVEMBER 13, 2009
CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 17, 2009
CITY COUNCIL BUDGET RETREAT MINUTES OF NOVEMBER 17, 2009
CITY COUNCIL CONFERENCE MINUTES OF NOVEMBER 24, 2009
CITY COUNCIL MINUTES OF NOVEMBER 24, 2009
NORMAN UTILITIES AUTHORITY MINUTES OF NOVEMBER 24, 2009
NORMAN MUNICIPAL AUTHORITY MINUTES OF NOVEMBER 24, 2009
NORMAN TAX INCREMENT FINANCE AUTHORITY MINUTES OF NOVEMBER 24, 2009

Acting as the City Council, Norman Utilities Authority, Norman Municipal Authority, and Norman Tax Increment Finance Authority, Councilmember Kovach moved that the minutes be approved and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Item 5, continued:

Items submitted for the record

- 1. City Council Conference minutes of November 12, 2009
- 2. City Council Planning and Community Development minutes of November 13, 2009
- 3. City Council Study Session minutes of November 17, 2009
- 4. City Council Budget Retreat minutes of November 17, 2009
- 5. City Council Conference minutes of November 24, 2009
- 6. City Council minutes of November 24, 2009
- 7. Norman Utilities Authority minutes of November 24, 2009
- 8. Norman Municipal Authority minutes of November 24, 2009
- 9. Norman Tax Increment Finance Authority minutes of November 24, 2009

and the question being upon approving the minutes and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Ezzell, Dillingham, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the minutes approved; and the filing thereof was directed.

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Item 6, being:

CONSIDERATION OF THE FOLLOWING ORDINANCES UPON FIRST READING BY TITLE:

- ORDINANCE NO. O-0910-10: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, CLOSING A PUBLIC UTILITY EASEMENT STRADDLING THE COMMON BOUNDARY BETWEEN LOT 1 AND LOT 2, BLOCK 10, PARK HILL ADDITION TO THE CITY OF NORMAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (LOCATED AT 3444 AND 3448 GRANT ROAD)
- ORDINANCE NO. O-0910-12: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 429.3 OF CHAPTER 22 (ZONING ORDINANCE) OF THE CODE OF THE CITY OF NORMAN TO DEFINE THE VISIBILITY OF CHANGES TO HISTORIC STRUCTURES; TO MODIFY THE MAKEUP OF THE HISTORIC DISTRICT COMMISSION; ADDING DEFINITIONS THERETO; AND PROVIDING FOR THE SEVERABILITY THEREOF.
- ORDINANCE NO. O-0910-16: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AUTHORIZING THE CALLING AND HOLDING OF A SPECIAL ELECTION IN THE CITY OF NORMAN, STATE OF OKLAHOMA (THE" CITY"), ON THE 2ND DAY OF MARCH, 2010, FOR THE PURPOSE OF SUBMITTING TO THE REGISTERED QUALIFIED ELECTORS OF SAID CITY, THE QUESTION OF THE ISSUANCE OF THE BONDS OF SAID CITY IN AN AMOUNT NOT TO EXCEED THE SUM OF TWENTY ONE MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$21,250,000) TO BE ISSUED IN SERIES TO PROVIDE FUNDS FOR THE PURPOSES OF (I) RECONSTRUCTING, REPAIRING, IMPROVING, AND REHABILITATING EXISTING STREETS, ROADS, AND INTERSECTIONS IN THE CITY (INCLUDING LIGHTING, SIDEWALKS/BIKE PATHS, LANDSCAPING, RELATED DRAINAGE IMPROVEMENTS, DRIVEWAY RECONSTRUCTION, AND OTHER RELATED IMPROVEMENTS), AND (II) IMPROVING THE CITY OUTDOOR SIREN WARNING SYSTEM BY ACQUIRING NEW WARNING SIRENS AND CONTROL STATION HARDWARE AND SOFTWARE, BY ACQUIRING LAND FOR WARNING SIRENS, AND BY MODIFYING AND RELOCATING CERTAIN OF THE EXISTING WARNING SIRENS, ALL TO BE OWNED EXCLUSIVELY BY THE CITY; AND LEVYING AND COLLECTING AN ANNUAL TAX, IN ADDITION TO ALL OTHER TAXES, UPON ALL THE TAXABLE PROPERTY IN SAID CITY FOR THE PAYMENT OF THE INTEREST AND PRINCIPAL ON SAID BONDS.
- ORDINANCE NO. O-0910-18: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING SECTION 4-1901 AND SECTION 4-1902 OF CHAPTER 4 OF THE CODE OF THE CITY OF NORMAN PROVIDING FOR HISTORIC DISTRICT COMMISSION MEMBER APPOINTMENTS AND PROVIDING FOR DUTIES OF COMMISSION MEMBERS; AND PROVIDING FOR THE SEVERABILITY THEREOF.

Councilmember Kovach moved that the ordinances be Introduced and adopted upon First Reading by title, which motion was duly seconded by Councilmember Cubberley;

Item 6, continued:

Items submitted for the record

1. Memorandum dated November 24, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2. Ordinance No. O-0910-10
3. Location map
4. Petition to close a part of utility easement in Park Hill Addition (3444/3448 Grant Road, Norman, Oklahoma) dated October 6, 2009, to Brenda Hall, City Clerk, submitted by H.E. Heiple, Attorney-Agent, Heiple Law Offices, Inc., on behalf of Applicant, Ideal Homes of Norman, L.P., with Exhibit "A," location map
5. Certificate of Bonded Abstractor dated September 10, 2009, by Scott A. Rountree, Abstractor License No. 4021, S.A.&I. Certificate of Authority No. 52, File No. 1386457-MO99, First American Title and Trust Company
6. Staff Report dated November 12, 2009, recommending approval
7. Pertinent excerpts from Planning Commission minutes of November 12, 2009
8. Memorandum dated December 1, 2009, from Susan Owen Atkinson, Historic Preservation Officer, to Honorable Mayor and Members of the City Council
9. Ordinance No. O-0910-12
10. Legislatively notated copy of Ordinance No. O-0910-12
11. Ordinance No. O-0910-18
12. Legislatively notated copy of Ordinance No. O-0910-18
13. Pages 31, 83, 84, 87, and 88 of the Norman Historic Preservation Handbook with highlighted changes and diagram added to Page 32, Section 2.5, Fences and Walls
14. Memorandum dated October 30, 2009, from Susan F. Connors, Director, Planning and Community Development, to Chairman Jim Gasaway and Planning Commission Members
15. Pertinent excerpts from Planning Commission minutes of November 12, 2009
16. City Council Planning and Community Development Committee minutes of October 9, 2009
17. Pertinent excerpts from City Council Conference minutes of October 27, 2009
18. Memorandum dated December 2, 2009, from Anthony Francisco, Director of Finance, to Honorable Mayor and City Councilmembers
19. Ordinance No. O-0910-16
20. Special Election Proclamation and Notice
21. Pertinent excerpts from City Council Transportation Committee minutes of September 24 and October 15, 2009
22. City Council Study Session minutes of November 17, 2009

and the question being upon the Introduction and adoption of the ordinances upon First Reading by title, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the ordinances were Introduced, read, and adopted upon First Reading by title.

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Item 7, being:

CONSIDERATION OF ACCEPTANCE OF THE FOLLOWING DONATED EASEMENT IN CONNECTION WITH THE WELL FIELD DEVELOPMENT PROJECT, PHASE I:

<u>EASEMENT NO.</u>	<u>GRANTOR</u>	<u>EASEMENT</u>
E-0910-28	JAMES AND PATRICIA A. IMHOFF	PERMANENT PUBLIC UTILITY

Councilmember Kovach moved that the easement be accepted and the filing thereof with the Cleveland County Clerk be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated November 18, 2009, from Jim Speck, Capital Projects Engineer, to Honorable Mayor and Councilmembers
2. Easement No. E-0910-28
3. Location maps

and the question being upon accepting the easement and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and the easement accepted; and the filing thereof with the Cleveland County Clerk was directed.

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Item 8, being:

SPECIAL CLAIM NO. 0910-3: A CLAIM IN THE AMOUNT OF \$2,993.79 SUBMITTED BY FELICITY MORSE FOR DAMAGES TO HER VEHICLE DUE TO AN ACCIDENT WITH A CITY OF NORMAN STREET SWEEPER AT THE INTERSECTION OF PORTER AVENUE AND ACRES STREET.

Councilmember Kovach moved that Special Claim No. 0910-3 be approved and payment in the amount of \$2,993.79 be directed contingent upon obtaining a Release and Covenant Not to Sue from Felicity Morse, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Memorandum dated November 20, 2009, from Jeanne Snider, Assistant City Attorney, through Jeff Harley Bryant, City Attorney, to the Honorable Mayor and Councilmembers
2. Special Claim No. 0910-3 dated October 27, 2009, submitted by Felicity Morse in the amount of \$2,993.79
3. Memorandum dated October 27, 2009, from Brenda Hall, City Clerk, to Jeff Bryant, City Attorney, and Shawn O’Leary, Director of Public Works
4. Preliminary Estimate No. 82172 dated October 26, 2009, in the amount of \$2,993.79 from Bob Moore Collision Center
5. Official Oklahoma Traffic Collision Report No. 2009-13940 dated October 23, 2009

and the question being upon approving Special Claim No. 0910-3 and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Special Claim No. 0910-3 approved; and payment in the amount of \$2,993.79 was directed contingent upon obtaining a Release and Covenant Not to Sue from Felicity Morse.

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Item 9, being:

CHANGE ORDER NO. ONE TO CONTRACT NO. K-0910-25: BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND CENTRAL CONTRACTING SERVICES, INC., INCREASING THE CONTRACT AMOUNT BY \$103,896 TO INCLUDE THE RELOCATION OF A SEWER LINE AT THE REQUEST OF THE UTILITIES DEPARTMENT, WHICH IS CURRENTLY LOCATED UNDER ROBINSON STREET AS PART OF THE CONTRACT FOR THE ROBINSON STREET GRADE SEPARATION WATER/SEWER LINE RELOCATION PROJECT AND BUDGET TRANSFER.

Acting as the City Council and Norman Utilities Authority, Councilmember Kovach moved that Change Order No. One to Contract No. K-0910-25 with Central Contracting Services, Inc., increasing the contract amount by \$103,896 be approved, the execution thereof be authorized, and \$103,896 be transferred from Project No. WW0055, Sewer Maintenance Plan FYE 10, Design (321-9338-432.62-01) to Project No. WW0203, Robinson Underpass Sewer, Construction (321-9065-432.61-01), which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated November 23, 2009, from John Clink, Capital Projects Engineer, and Mark Daniels, Utilities Engineer, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Change Order No. One to Contract No. K-0910-25
- 4. Purchase Requisition No. 0000165209 dated December 1, 2009, in the amount of \$103,896 to Central Contracting Services, Inc.

and the question being upon approving Change Order No. One to Contract No. K-0910-25 with Central Contracting Services, Inc., increasing the contract amount by \$103,896 and upon the subsequent authorization and transfer, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
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NAYES:	None
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The Mayor declared the motion carried and Change Order No. One to Contract No. K-0910-25 with Central Contracting Services, Inc., increasing the contract amount by \$103,896 approved; the execution thereof was authorized and \$103,896 was transferred from Project No. WW0055, Sewer Maintenance Plan FYE 10, Design (321-9338-432.62-01) to Project No. WW0203, Robinson Underpass Sewer, Construction (321-9065-432.61-01).

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Item 10, being:

CONTRACT NO. K-0910-116: AN INTERLOCAL COOPERATIVE AGREEMENT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE CITY OF OKLAHOMA CITY, OKLAHOMA, FOR CONSTRUCTION AND MAINTENANCE OF IMPROVEMENTS OF THE INTERSECTION OF 60TH AVENUE N.W. AND INDIAN HILLS ROAD (SOUTH WESTERN AVENUE AND SOUTHWEST 179TH STREET IN OKLAHOMA CITY) IN CONNECTION WITH THE TECUMSEH ROAD WIDENING PROJECT, PHASE II.

Councilmember Kovach moved that Contract No. K-0910-116 with the City of Oklahoma City be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated November 23, 2009, from Lonnie Ferguson, Capital Projects Engineer, to Honorable Mayor and Councilmembers
- 2. Location map
- 3. Contract No. K-0910-116

Item 10, continued:

and the question being upon approving Contract No. K-0910-116 with the City of Oklahoma City and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-0910-116 with the City of Oklahoma City approved; and the execution thereof was authorized.

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Item 11, being:

CONTRACT NO. K-0910-117: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND THE OKLAHOMA DEPARTMENT OF TRANSPORTATION FOR STATE-AID PROJECT NO. STP-114B(142)AG, STATE JOB NO. 22140(04) FOR THE LINDSEY STREET WIDENING PROJECT BETWEEN LINCOLN AVENUE AND THE BURLINGTON NORTHERN SANTA FE RAILROAD TRACKS AND ADOPTION OF RESOLUTION NO. R-0910-74.

Councilmember Kovach moved that Contract No. K-0910-117 with the Oklahoma Department of Transportation be approved, Resolution No. R-0910-74 be adopted, and the execution of the contract and resolution be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated November 23, 2009, from Lonnie Ferguson, Capital Projects Engineer, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0910-117
- 3. Resolution No. R-0910-74

and the question being upon approving Contract No. K-0910-117 with the Oklahoma Department of Transportation and upon the subsequent adoption and authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-0910-117 with the Oklahoma Department of Transportation approved; Resolution No. R-0910-74 was adopted and the execution of the contract and resolution was authorized.

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Item 12, being:

CONTRACT NO. K-0910-120: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND REPUBLIC BANK TO SUBORDINATE A LIEN REGARDING FUNDS FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REHABILITATION PROGRAM FOR PROPERTY LOCATED AT 728 GRICKLE DRIVE.

Councilmember Kovach moved that Contract No. K-0910-120 with Republic Bank be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated November 19, 2009, from Linda Price, Revitalization Manager, to Honorable Mayor and Councilmembers
- 2. Contract No. K-0910-120

and the question being upon approving Contract No. K-0910-120 with Republic Bank and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-0910-120 with Republic Bank approved; and the execution thereof was authorized.

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Item 13, being:

CONTRACT NO. K-0910-122: A CONTRACT BY AND BETWEEN THE CITY OF NORMAN, OKLAHOMA, AND INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, INC., IN THE AMOUNT OF \$28,229 TO PROVIDE A LEADERSHIP IN POLICE ORGANIZATIONS TRAINING PROGRAM TO POLICE DEPARTMENT SUPERVISORS.

Councilmember Kovach moved that Contract No. K-0910-122 with International Association of Chiefs of Police, Inc., in the amount of \$28,229 be approved and the execution thereof be authorized, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

- 1. Memorandum dated December 1, 2009, from J.D. Younger, Captain, through Phil Cotten, Chief of Police, to Honorable Mayor and City Council
- 2. Contract No. K-0910-122
- 3. Purchase Requisition No. 0000164999 dated November 23, 2009, in the amount of \$28,229 to International Association of Chiefs of Police, Inc.

and the question being upon approving Contract No. K-0910-122 with International Association of Chiefs of Police, Inc., in the amount of \$28,229 and upon the subsequent authorization, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Contract No. K-0910-122 with International Association of Chiefs of Police, Inc., in the amount of \$28,229 approved; and the execution thereof was authorized.

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Item 14, being:

RESOLUTION NO. R-0910-76: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, IN CONJUNCTION WITH THE NORMAN HUMAN RIGHTS COMMISSION, AWARDING THE 2009 CITY OF NORMAN HUMAN RIGHTS AWARD.

Councilmember Kovach moved that Resolution No. R-0910-76 be adopted, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Resolution No. R-0910-76
2. Letter of recommendation dated October 27, 2009, from Lisa Schmidt, to the Norman Human Rights Commission
3. Pertinent excerpts from Norman Human Rights Commission minutes of November 9, 2009

Participants in discussion

1. Ms. Lisa Schmidt, Chair of the Human Rights Commission, presented the Human Rights Award to Mr. Brian Karnes, Director of Health for Health for Friends; Maureen Garton, President of the Board, and Kathy Heiple, Founder
2. Mr. Brian Karnes, Director of Health for Friends, accepted the resolution and thanked the Council

and the question being upon adopting Resolution No. R-0910-76, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Resolution No. R-0910-76 was adopted.

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Item 15, being:

PROCLAMATION NO. P-0910-11: A PROCLAMATION OF THE MAYOR OF THE CITY OF NORMAN, OKLAHOMA, PROCLAIMING DECEMBER 7 THROUGH 13, 2009, AS HUMAN RIGHTS WEEK IN THE CITY OF NORMAN.

Councilmember Kovach moved that receipt of Proclamation No. P-0910-11 proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman be acknowledged and the filing thereof be directed, which motion was duly seconded by Councilmember Cubberley;

Items submitted for the record

1. Proclamation No. P-0910-11

Participants in discussion

1. Ms. Lisa Schmidt, Chairman of the Human Rights Commission, accepted the proclamation and thanked the Council

and the question being upon acknowledging receipt of Proclamation No. P-0910-11 proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman and upon the subsequent directive, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and receipt of Proclamation No. P-0910-11 proclaiming December 7 through 13, 2009, as Human Rights Week in the City of Norman acknowledged; and the filing thereof was directed.

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Item 16, being:

PUBLIC HEARING REGARDING A GRANT IN THE AMOUNT OF \$150,000 FROM THE UNITED STATES DEPARTMENT OF JUSTICE (DOJ) THROUGH THE FY09 COMMUNITY ORIENTED POLICING SERVICES (COPS) LAW ENFORCEMENT TECHNOLOGY PROGRAM TO BE USED BY THE POLICE DEPARTMENT TO UPGRADE THE EMERGENCY COMMUNICATIONS CENTER COMPUTER AID DISPATCH (CAD) SYSTEM AND BUDGET APPROPRIATION.

Councilmember Quinn moved that a public hearing be conducted, which motion was duly seconded by Councilmember Dillingham;

Items submitted for the record

- 1. Memorandum dated November 13, 2009, from Phil Cotten, Chief of Police, to Honorable Mayor and City Council
- 2. Letter dated September 21, 2009, from David M. Buchanan, Acting Director, United States Department of Justice, to Chief Phil Cotten
- 3. Memorandum dated August 7, 2009, from Andrew A. Dorr, Assistant Director for Grants Administration, Clara Pesiri, Grant Program Specialist, to Chief Phil Cotten
- 4. United States Department of Justice, Community Oriented Policing Services, Grants Administration Division, Law Enforcement Technology, Treasury Account Symbol No. 15X0406, Grant No. 2009CKWX0089

and the question being upon conducting a public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and a public hearing was conducted.

Thereupon, the following persons addressed City Council:

Participants in discussion

- 1. Major Jim Maisano, Norman Police Department

Thereupon, Councilmember Dillingham moved that the public hearing be closed, which motion was duly seconded by Councilmember Atkins; and the question being upon closing the public hearing, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the public hearing was closed.

Thereupon, Councilmember Cubberley moved that a grant in the amount of \$150,000 from DOJ through the COPS Program to be used by the Police Department be accepted; the City Manager be authorized to sign all documents related thereto; Other Revenue/COPS Grant (022-0000-331.13-14) be increased by \$150,000; \$125,000 be appropriated to Telecommunications Equipment/Software (022-6039-421.53-04) and \$25,000 to Telecommunications Equipment/Computer Hardware (022-6039-421.53-01); and \$199,000 be reappropriated from the Emergency Communications Fund Balance (024-0000-253.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04), \$184,000, and \$15,000 to Professional Services/City Business Travel (024-6039-421.46-05), which motion was duly seconded by Councilmember Quinn; and the question being upon accepting a grant in the amount of \$150,000 from DOJ through the COPS Program to be used by the Police Department and upon the subsequent authorization, increase, and appropriations, a vote was taken with the following result:

Item 16, continued:

YEAS:

Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and \$150,000 from DOJ through the COPS Program to be used by the Police Department accepted; the City Manager was authorized to sign all documents related thereto; Other Revenue/COPS Grant (022-0000-331.13-14) was increased by \$150,000; \$125,000 was appropriated to Telecommunications Equipment/Software (022-6039-421.53-04) and \$25,000 to Telecommunications Equipment/Computer Hardware (022-6039-421.53-01); and \$199,000 was reappropriated from the Emergency Communications Fund Balance (024-0000-253.20-00) to Telecommunications Equipment/Computer Software (024-6039-421.53-04), \$184,000, and \$15,000 to Professional Services/City Business Travel (024-6039-421.46-05).

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Item 17, being:

ORDINANCE NO. O-0910-11: AN ORDINANCE OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, AMENDING ORDINANCE NO. O-0001-13, THE NRH MEDICAL PARK WEST PLANNED UNIT DEVELOPMENT, TO AMEND PUD NARRATIVE AND DESIGN GUIDELINES FOR A TRACT OF LAND LYING WITHIN THE NORTHWEST QUARTER OF SECTION FOURTEEN, TOWNSHIP NINE NORTH, RANGE THREE WEST OF THE INDIAN MERIDIAN, CLEVELAND COUNTY, OKLAHOMA; AND PROVIDING FOR THE SEVERABILITY THEREOF. (GENERALLY LOCATED SOUTH OF TECUMSEH ROAD BETWEEN 36TH AVENUE N.W. AND I-35 SERVICE ROAD)

Ordinance No. O-0910-11 having been Introduced and adopted upon First Reading by title in City Council's meeting of November 24, 2009, Councilmember Quinn moved that Ordinance No. O-0910-11 be adopted upon Second Reading section by section, which motion was duly seconded by Councilmember Griffith;

- Items submitted for the record
1.

Memorandum dated November 13, 2009, from Doug Koscinski, AICP, Manager, Current Planning Division, to Honorable Mayor and Councilmembers
2.

Ordinance No. O-0910-11
3.

Site development plan
4.

Location map
5.

Annotated NRH Medical Park West Development Plan, October, 2009, Revision
6.

Medical Park West Design Guidelines revised November, 2009, prepared for NRH Medical Park West, L.L.C., prepared by Lockard Norman Developers, L.L.C.
7.

Medical Park West Design Guidelines (changes to original document)
8.

Staff Report dated November 12, 2009, recommending approval
9.

Pertinent excerpts from Planning Commission minutes of November 12, 2009
- Participants in discussion
1.

Mr. Harold Heiple, 218 East Eufaula Street, attorney representing applicant

and the question being upon adopting Ordinance No. O-0910-11 upon Second Reading section by section, a vote was taken with the following result:

YEAS:

Councilmembers Atkins, Butler,
Cubberley, Dillingham, Ezzell, Griffith,
Kovach, Quinn, Mayor Rosenthal

NAYES:

None

The Mayor declared the motion carried and Ordinance No. O-0910-11 was adopted upon Second Reading section by section.

Item 17, continued:

Thereupon, Councilmember Kovach moved that Ordinance No. O-0910-11 be adopted upon Final Reading as a whole, which motion was duly seconded by Councilmember Dillingham; and the question being upon adopting Ordinance No. O-0910-11 upon Final Reading as a whole, the roll was called with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and Ordinance No. O-0910-11 was adopted upon Final Reading as a whole.

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MISCELLANEOUS DISCUSSION

Outdoor Siren Warning System Improvements. Mr. Bobby Stevens, 3801 108th Avenue S.E., asked if City Staff was aware of the poor condition of the outdoor siren warning system at the time voters approved the public safety sales tax. He said he would like to have a warning siren closer to his home in east Norman.

Mayor Rosenthal said this problem has been emerging for several years and must now be addressed to ensure safety for citizens.

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Traffic Information on Website. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he recently looked at traffic figures on the new website and wondered why the information did not include any streets east of 24th Avenue East.

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Turn Lanes on Highway Nine. Mr. Bobby Stevens, 3801 108th Avenue S.E., said he had asked Mr. David Streb with the Oklahoma Department of Transportation (ODOT) about installing turn lanes on East Highway Nine and was referred to the ODOT office in Ada. He asked if City Staff would notify the Ada office.

Mayor Rosenthal asked Mr. Shawn O’Leary, Director of Public Works, to meet with Mr. Stevens to discuss contacting ODOT to address the Highway Nine issue.

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Crosswalks at Noble Public Schools. Mr. Bobby Stevens, 3801 108th Avenue S.E., said many east side residents have children who attend Noble Public Schools and asked if the City of Norman Traffic Control Division could paint the crosswalks at Noble Schools for safety reasons.

Mayor Rosenthal said there are issues of jurisdictional authority between different cities and school districts which do not allow improvements to be made by another city.

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Shop Norman. Councilmember Quinn said it was important to “Shop Norman” as much as possible because it is good for the City and for those who work, live, and own businesses here.

Mayor Rosenthal agreed with Councilmember Quinn and urged citizens to shop in Norman.

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Artwalk, Parade, and Pancake Breakfast. Councilmember Dillingham said the Downtown Artwalk was this weekend and the Christmas Parade and Pancake Breakfast would be held Saturday, December 12th. She urged citizens to get out, meet their neighbors, and have a good time this weekend.

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Miscellaneous Discussion, continued:

Traffic Calming. Councilmember Kovach said he recently attended a Neighborhood Meeting about Traffic Calming. He said those attending the meeting were provided a list of the types of traffic calming devices which were described and discounted quickly. He said problems with speed tables are described but usually dismissed. He said in a recent newspaper article he had used the word “faulty” to describe some of the speed tables which he felt did apply; however, the Director of Public Works had disagreed. He clarified a quote from the article where he referred to “Case Law” being broken and the article used the words “City Law”. He said there is legal precedent that is several years old, which could cause the City to be held liable for situations where there is a posted speed limit and a person is unable to drive that speed because of a device like a speed table. He said Mr. O’Leary had said in the article that speeders hated speed tables but neighborhoods love them. He said over 50% of citizens who responded to the Citizen Satisfaction Survey said they did not like speed tables and he did not think they were all speeders. He said there are some facts from the Insurance Institute for Highway Safety that should be considered such as speed tables lose their effectiveness over time; speed tables often do not solve the problem, they just move the problem; the effect of the response time for emergency vehicles is reduced by speed tables and other traffic calming devices; and there are American Disabilities Act (ADA) concerns; increased pollution; liability, and lawsuits. He said he had asked the Police Chief to prepare a report showing how many hours of enhanced enforcement could be gained for the same amount of money used for the Traffic Calming Program. He said the report listed over 900 eight-hour shifts dedicated to working on neighborhood speeding problems. He asked Council and Staff to take a serious look at this.

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Winterfest. Mayor Rosenthal thanked Parks and Recreation Staff for the Winter Fest activities held Friday, December 4, 2009, in Andrews Park.

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ADJOURNMENT

There being no further business, Councilmember Quinn moved that the meeting be adjourned, which motion was duly seconded by Councilmember Cubberley; and the question being upon adjournment of the meeting, a vote was taken with the following result:

YEAS:	Councilmembers Atkins, Butler, Cubberley, Dillingham, Ezzell, Griffith, Kovach, Quinn, Mayor Rosenthal
NAYES:	None

The Mayor declared the motion carried and the meeting was adjourned at 7:13 p.m.

ATTEST:

City Clerk

Mayor